

Gary Poulson  
Assistant Revisor of Statutes  
Suite 800  
131 West Wilson Street  
Madison, Wisconsin 53703-3233

Dear Mr. Poulson:

**TRANSMITTAL OF WRITTEN NOTICE OF HEARING  
AND LEGISLATIVE COUNCIL REVIEW**

RULE NO.: Chapters Comm 5, 20, 21, 22 and 27

RELATING TO: Installation of Manufactured Homes

AGENCY UNIT RESPONSIBLE: Safety and Buildings Division

PUBLIC HEARING REQUIRED: ☒ YES ☐ NO

CONTACT PERSON: James Quast TITLE: Program Manager

TELEPHONE: 608/266-9292 EMAIL: jim.quast@wisconsin.gov

Pursuant to sections 227.14 (4m) and 227.17, Stats., agencies are required to transmit a written notice of submittal of proposed rules to the Legislative Council and a written notice of hearing to the Revisor of Statutes, for publication in the Administrative Register.

On the date on this letter the department is submitting proposed rules to the Legislative Council and is submitting the following material to you:

1. Notice of Public Hearing or 30-Day Notice of Proposed Rulemaking.
2. Fiscal Estimate.
3. Initial Regulatory Flexibility Analysis.
4. Draft of Proposed Rules.

Respectfully submitted,

Mary P. Burke  
Secretary

STATE OF WISCONSIN  
DEPARTMENT OF COMMERCE

**NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to s. 101.96 Stats., as created by 2005 Wisconsin Act 45, the Department of Commerce will hold a public hearing on proposed rules under chapters Comm 5, 20, 21 and 27 relating to installation of manufactured homes and affecting small business.

The public hearing will be held as follows:

**Date and Time:**

Monday, July 17, 2006 at 1:00 p.m.

**Location:**

201 W. Washington Ave, Conference Room 3C  
Madison

Interested persons are invited to appear at the hearing and present comments on the proposed rules. Persons making oral presentations are requested to submit their comments in writing. Persons submitting comments will not receive individual responses. The hearing record on this proposed rulemaking will remain open until July 28, 2006, to permit submittal of written comments from persons who are unable to attend the hearing or who wish to supplement testimony offered at the hearing. Written comments should be submitted to Jim Quast, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at [jim.quast@wisconsin.gov](mailto:jim.quast@wisconsin.gov).

This hearing is held in an accessible facility. If you have special needs or circumstances that may make communication or accessibility difficult at the hearing, please call (608) 266-8741 or (608) 264-8777 (TTY) at least 10 days prior to the hearing date. Accommodations such as interpreters, English translators, or materials in audio tape format will, to the fullest extent possible, be made available upon a request from a person with a disability.

The proposed rules and an analysis of the proposed rules are available on the Internet at the Safety and Buildings Division Web site at [www.commerce.wi.gov/SB/](http://www.commerce.wi.gov/SB/). Paper copies may be obtained without cost from Roberta Ward, at the Department of Commerce, Program Development Bureau, P.O. Box 2689, Madison, WI 53701-2689, or Email at [roberta.ward@wisconsin.gov](mailto:roberta.ward@wisconsin.gov), or at telephone (608) 266-8741 or (608) 264-8777 (TTY). Copies will also be available at the public hearing.

The small business regulatory coordinator for the Department of Commerce is Carol Dunn, who may be contacted at telephone (608) 267-0297, or Email at [carol.dunn@wisconsin.gov](mailto:carol.dunn@wisconsin.gov).



State of Wisconsin \ Department of Commerce

# HEARING DRAFT of PROPOSED RULES

**Rule No.:** Chapters Comm 5, 20, 21, 22 and 27

**Relating to:** Installation of Manufactured Homes

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# INITIAL REGULATORY FLEXIBILITY ANALYSIS

## Department of Commerce

RULE NO.: Chapters Comm 5, 20, 21, 22 and 27

RELATING TO: Installation of Manufactured Homes

1. Types of small businesses that will be affected by the rules.

The requirements relating to the installation of manufactured homes impact businesses of all sizes. The rules impact a variety of businesses, including small businesses, particularly those businesses that produce, sell, install or inspect manufactured homes.

2. Reporting, bookkeeping and other procedures required for compliance with the rules.

The installation of a manufactured home under the UDC program will necessitate acquiring a permit and inspections. In those portions of the state where administration and enforcement of the program is by the Department through contracts with independent inspection agencies, the Department anticipates the permit and inspection fees to be approximately \$350 per installation. The application for the permit may be made by the home owner or their designated agent which could be the installer, manufacturer, the dealer or some one else.

3. Types of professional skills necessary for compliance with the rules.

Pursuant to federal law and 2005 Wisconsin Act 45, beginning on January 1, 2007 the installation of manufactured homes must occur under the supervision of licensed installers. The renewal of an installer's license will be contingent upon fulfilling continuing education obligations. The code establishes technical standards that are to be adhered to when installing manufactured homes.

4. Rules have a significant economic impact on small businesses.

☒ No      Rules not submitted to Small Business Regulatory Review Board

☐ Yes      Rules submitted to Small Business Regulatory Review Board

# **NOTICE of ENVIRONMENTAL ANALYSIS**

## **Department of Commerce**

Rule No.: Chapters Comm 5, 20, 21, 22 and 27

Relating to: Installation of Manufactured Homes

Notice is hereby given that the Department has considered the environmental impact of the proposed rules. In accordance with chapter Comm 1, the proposed rules are a Type III action. A Type III action normally does not have the potential to cause significant environmental effects and normally does not involve unresolved conflicts in the use of available resources. The Department has reviewed these rules and finds no reason to believe that any unusual conditions exist. At this time, the Department has issued this notice to serve as a finding of no significant impact.

<b>FISCAL ESTIMATE</b> DOA-2048 (R06/99)	<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> CORRECTED	<input type="checkbox"/> UPDATED <input type="checkbox"/> SUPPLEMENTAL	LRB or Bill No./Adm. Rule No. Chs. Comm 5, 20, 21, 22, 27 Amendment No. if Applicable
<b>Subject</b> Installation of Manufactured Homes			
<b>Fiscal Effect</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 55%;"> <b>State:</b> <input type="checkbox"/> No State Fiscal Effect            Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation  <input type="checkbox"/> Increase Existing Appropriation    <input checked="" type="checkbox"/> Increase Existing Revenues  <input type="checkbox"/> Decrease Existing Appropriation    <input type="checkbox"/> Decrease Existing Revenues  <input type="checkbox"/> Create New Appropriation         </div> <div style="width: 40%;"> <input checked="" type="checkbox"/> Increase Costs - May be Possible to Absorb Within Agency's Budget    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No  <input type="checkbox"/> Decrease Costs         </div> </div>			
<b>Local:</b> <input type="checkbox"/> No local government costs			
1. <input checked="" type="checkbox"/> Increase Costs <input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input checked="" type="checkbox"/> Increase Revenues <input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: Towns <input checked="" type="checkbox"/> Villages <input checked="" type="checkbox"/> Cities <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S		Affected Ch. 20 Appropriations	
<b>Assumptions Used in Arriving at Fiscal Estimate</b>  <p>The proposed rules establish licensure for installers of manufactured homes and standards for the installation and the installation inspection of manufactured homes. The Department estimates that the number of manufactured home installers to be less than 50. The Department proposes a license fee of \$100 with the term of the license lasting 4 years. This would generate an increase of \$5,000 in revenues over a 4-year period. The Department would be absorbed within current resources.</p> <p>The installation and the inspection of the installation of manufactured homes is to be placed under the administration and enforcement of the Uniform Dwelling Code, UDC, chapters Comm 20-25. The Department estimates that there will 3,000 installations annually. The Department would collect an estimated \$75,000 annually in seal fee revenue under the UDC program. The consultant and processing workload associated with the manufactured home installation facet of the program would be absorbed by current staff.</p> <p>Administration and enforcement of the UDC Code typically is handled at the local municipal level with municipal costs offset by permit and/or inspection fees established by each municipality.</p> <p>The installation of a manufactured home under the UDC program will necessitate acquiring a permit and inspections. In those portions of the state where administration and enforcement of the program is by the Department through contracts with independent inspection agencies, the Department anticipates the permit and inspection fees to be approximately \$350 per installation.</p> <p>The proposed rules and the enabling legislation, 2005 Wisconsin Act 45, are the result of a federal HUD initiative under 24 CFR Part 3285. HUD has indicated that the "costs and cost impacts do not represent a significant economic effect on either an industry wide or per-home basis." (Federal Register/Vol. 70, No. 79/ Tuesday, April 26, 2005 p. 21516)</p>			
<b>Long-Range Fiscal Implications</b> No long range fiscal implications anticipated.			
Agency/Prepared by: (Name & Phone No.) Commerce/ Jim Quast 266-9292		Authorized Signature/Telephone No.	Date

**FISCAL ESTIMATE WORKSHEET**  
Detailed Estimate of Annual Fiscal Effect  
DOA-2047(R06/99)

☒ ORIGINAL  
☐ CORRECTED

☐ UPDATED  
☐ SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
Chs. Comm 5, 20, 21, 22, 27

Amendment No.

**Subject**

Installation of Manufactured Homes

**I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**

<b>II. Annualized Costs:</b>		<b>Annualized Fiscal impact on State funds from:</b>	
		<b>Increased Costs</b>	<b>Decreased Costs</b>
<b>A. State Costs By Category</b>			
State Operations - Salaries and Fringes		\$ 0	\$ -0
(FTE Position Changes)		( 0 FTE)	( - 0 FTE)
State Operations - Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs By Category		\$ 0	\$ -0
<b>B. State Costs By Source of Funds</b>			
GPR		\$	\$ -
FED			-
PRO/PRS		0	-0
SEG/SEG-S			-
<b>III. State Revenues-</b> Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		<b>Increased Rev.</b>	<b>Decreased Rev.</b>
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS		75,000	-
SEG/SEG-S			-
TOTAL State Revenues		\$ 75,000	\$

**NET ANNUALIZED FISCAL IMPACT**

STATE

LOCAL

<b>NET CHANGE IN COSTS</b>	\$ _____	\$ _____
<b>NET CHANGE IN REVENUES</b>	\$ 75,000	\$ _____

Agency/Prepared by: (Name & Phone No.)

Commerce/Jim Quast 266-9292

Authorized Signature/Telephone No.

Date